

Forestry Conservation
Communications Association
Region Four
1104 1st Street
Steilacoom, WA 98388
December 15, 2002

Marlene JI. Dortch
FCC Secretary
Federal Communication Commission
445 12th Street S.W.
Washington, DC 20554

RM-10077

Reference: RM-00077. Modification of Section 90.20(c) of the Commission Rules to Permit Use of Any Certified Public Safety Frequency Coordinator for Channels Below 470 MHz.

Dear Ms. Dortch,

This is a letter asking the Commission **not** to allow direct coordination of Forestry Conservation Frequencies by any coordinator without review by the FCCA. Also, this is a defense of the State of Washington, Department of Natural Resources (WDNR) who has been used as bad example in the attached (see attachment **A**) letter from the local APCO-AFC Local Advisor. I know Mr. Buller to be a prominent and respected member of the radio communications community and a person with great knowledge and conviction. I attribute our opposition on this issue to different background and natural resource experiences.

Before retiring and becoming the Forestry Conservation Communication Frequency Coordinator for the Western States in June of this year, I was Director of Communications for the WDNR. Also, for many years I was a Communication Unit Leader serving at forest fires in the State of Washington and other Western States as part of Incident Management Teams.

There are five incident management teams in Washington that are staffed primarily by specialists from the Fire Service, Forest Service and Department of Natural Resources. The teams operate statewide including cities and sometimes respond to incidents in other states. In Washington the teams use the Department of Natural Resources Communications System along with communication assets from the National Interagency Fire Cache in Boise, ID. Additionally, the WDNR is on the water with sea life production and harvesting in the State owned tide lands along with activities in the cities and suburbs managing state land, lighting field fires where local protection does not exist and maintaining department sponsored trails and recreation sites. Also, the State Geologist and his staff are part of the WDNR along with individuals devoted to urban forestry activities. The WDNR activities and area of operation is large, as you would

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expect when compared to most states. hence the full use of the FCCA radio communication frequency allocation statewide. WDNR needs communications not only in the forests. but also in the rest of the state including the cities.

While, as indicated in the attached letter. the WDNR is licensed on 84 of the 86 FCCA land mobile radio allocated channels (17% of public safety high band) there are FCCA allocated frequencies licensed in parts of Washington by 14 other agencies. A list is included in attachment B. Also, with the adjacent States use along with Canadian restrictions. the usable statewide frequencies are only a small fraction of that amount.

Fourteen of the statewide channels are shared by agreement with USDA-Forest Service and the Washington Fire Service (responders from hundreds of fire departments) at incidents to include forest fires. Washington Department of Fish and Wildlife, USDA-Wildlife Services, and Washington State Parks and Recreation use some of these frequencies extensively on a secondary basis. Up to 4,000 radios use the WDNR radio frequencies, probably more users of any single VHF high system in the State of Washington.

Even with these limitations the WDNR has been able to change two of seven regions over to narrowband repeaters. The thirty year old "clusters" of repeaters operating on the same frequency pairs are being replaced to reduce contention on the systems. It has been a challenge to do this since the system will need to operate both with wideband and narrowband in some areas for the remaining three years before the project to change all regions is complete. I believe that with "Refarming" the Commission has all but mandated the move to narrowband to conserve spectrum and the WDNR is a leader in state agencies following that strategy for change.

Noteworthy is the fact that nearly all of the requests from other coordinators to use the FCCA allocation in Washington State since my time as a coordinator were for wideband frequencies where the WDNR and other agencies using the frequencies were operating with valid FCC licenses and documented frequency plans. These licenses were available for review by applicants and coordinators on the FCC data bank. Denials by the FCCA usually are the result of the applicant and the other service coordinator missing on-channel or adjacent channel statewide and defined area frequency assignments. Some of the frequency search programs ignore these license locations in radius searches. As a result their coordinations are denied because, if approved. they would cause unacceptable interference.

However, even in spite of the applicant search and coordination, there have been cases of bad coordinations. Additionally. since repeater inputs are not licensed and largely known only to the system owner with statewide systems the potential for error exists unless the coordinator is familiar with the systems. FCCA coordinators meet with representatives of the forestry conservation systems for three days at least annually at the FCCA National Conference to learn and understand their radio systems. Washington conservation agencies meet bimonthly. The local knowledge of systems has nearly eliminated bad coordinations among conservation agencies.

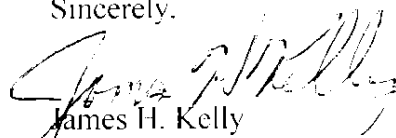
The WDNR has two active complaints (see attachment C and D) with interference and potential interference on coordinations origination from other than FCCA coordinators. It is a mystery on how these frequencies were coordinated. While the FCCA has been quick to respond there has been no other responses to the letters to the other coordinator or the applicant. As you can see it is difficult to reverse the coordinations because agencies are reluctant to delete the licenses and frequencies.

Based on the above, if the Commission were to allow direct coordination by any public safety coordinator I believe serious interference would result through an avalanche of bad coordination. Agencies like the WDNR would be overwhelmed trying to chase down bad coordinations and keep radio frequencies clear of interference.

At incidents like earthquakes, forest fires and other disasters emergency responders expect interference free communications. I have personally experienced situations where on-channel and adjacent channel interference from poorly coordinated frequencies has either hampered or brought emergency operations to a halt. The result has been unnecessary risk to life, long delays while mass reprogramming of maybe 500 or more radios used in vast areas and severe economic loss as marketable timber and homes go up in smoke not to mention the cost to fight the fire. A typical project fire with air operations costs \$1,000,000 per day to fight. Also, there have been times on forest fires that the interference frequency has been the last frequency available to use.

The number of interference incidents is increasing. My fear is that allowing any public safety coordinator to directly coordinate FCCA frequencies would shortcut FCCA review and add much more unacceptable interference to incident responder. Therefore, I oppose the proposal for direct coordination by any public safety coordinator. Please call me at (253)831-3017 should you have questions.

Sincerely,


James H. Kelly
FCCA Region 4
Frequency Coordinator

December 4, 2002

Secretary
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

RE RM-10077. Modification of Section 90.20 of the Commission's Rules to Permit Use of **Any** Certified Public Safety Frequency Coordinator for Channels below 470 MHz

Gentlemen:

I **highly** recommend the Commission act favorably on this NPRM.

The following is a personal viewpoint from 55 years of experience in the 2-way radio industry and 15 years as an APCO-AFC Local Advisor for the States of Washington and Alaska

Having all frequencies below 470 MHz available to coordinating agencies will, in my opinion, reduce the "warehousing" of frequencies that is common today. Washington State, as an example, has 84 of the possible 86 channels allocated to Forestry Conservation, FO, licensed to the Department of Natural Resources. Any attempt by another frequency coordinating agency to license on any of the PO channels are challenged by the FCCA with the justification "severe interference will result." There are parts of Washington State that have no forest to protect, or is separated well over the distance required for either co-channel or adjacent channel guidelines. The most recent absurd objection by the FCCA, whose justification was, "this channel is expected to be used some time in the near future." The Commission agreed with this statement resulting in the application being denied. Actions like this from the Commission certainly confuse coordinating agencies when opinions are made that defy common logic or coordination standards accepted by the Commission.

APCO relies on local advisors who live in or are intimately knowledgeable of the terrain with experience making the correct judgment in frequency assignments or interference judgments. Coordinators from the Eastern part of the US have little experience in the applicant's needs or territory for the Western US and therefore make severe errors in either assignments or denials.

Another example is the local frequency advisors know which agency is holding on to frequencies that have been abandoned by moving to 800 MHz. Coordinating agencies without representation in the local area are unaware of the warehousing which leads to ongoing licensing. It is in the best interest of the Commission that these frequencies are made available to other qualified applicant, and not kept in "reserve" by one coordinating agency for its own interest.

ATTACHMENT A

Coordination is based on established engineering criteria, information sharing, computer modeling, experience and common sense of the local area and its effects on propagation. Nor one coordinating agency has a monopoly on these principles. Coordination was open to competition by the Commission. Docket No. 02-285 RM-10077, II, 5. Now it's time the Commission open the spectrum to equal competition by the same argument.

Respectfully
Patrick E. Buller
Professional Engineer
City of Tacoma
3628 South 35th Street
Tacoma WA 98409-3192

P/O A

December 15, 2002

List of Radio User Agencies in Washington State That Use FCCA Allocated Frequencies

Agency	Call Sign or RFA	Freq. and Bandwidth	Notes
Cowlitz County	KJN751	159.390 WB	
City of Longview	KNJR868	159.390 WB	
City of Tacoma (Not Tacoma City Light)	KOF221	159.390 WB	Disputed- Not used, moving to 800MHz
City of Wenatchee	WPIQ861	159.390 WB	
WA State Parks	Numerous	151.280 NB	Last FCCA Approval 5/02
Pierce County	Numerous	151.355 WB	Disputed- Causing Interference
WA State Patrol	WPTL748	151.145 WB	FCCA Approved 5/02
Pend Oreille County	WPKQ914	151.400 WB	
Snohomish County	KTT964	159.465 WB	
Spokane County	KOB246	159.465 WB	
USDA- Forest Service	RFA	Numerous NB/WB	Also Sharing Agreements
USDA- Wildlife Svc.	RFA	Numerous NB/WB	Also Sharing Agreements
US Fish and Wildlife	RFA		
Kitsap County	WPPW769		



November 20, 2002

City of Tacoma General Services
Attn: Steve Taylor
747 Market Street, Room 744
Tacoma, WA 98402

This is a follow-up to the attached letter dated May 19, 2002 written to you by James H Kelly, who prior to his retirement, was the DNR Communications Director

In this letter James indicated that if the City of Tacoma were to use frequency 159.390 MHz for a full time requirement, there would be harmful interference to 7.5 KHz adjacent 159.3825 MHz. I would like to add that since the Tacoma license WKOF221 allows operation in wideband, unacceptable interference would also be received on 159.375 MHz, 15 KHz adjacent, by the Washington Interagency Management Teams (WIMT) that consists of Fire Service, USDA Forest Service and DNR responders to all risk incidents statewide, including the City of Tacoma.

The WIMT uses the DNR communications plan as indicated on page 12 of the attached Washington State DNR User Guide. As you can see 3-RPTR repeater output is 159.375 MHz, a frequency used statewide by the DNR for the past 30 years.

It is obvious to me that the FCC license for 159.390 MHz to the City of Tacoma was in error based on faulty radio system coordination. As a result, I am sending you the attached FCC application to delete 159.390 MHz from license KKOF221. The application needs to be signed and dated FCC 601 Main Form, Page 4.

Also I have included an addressed envelope to the FCCA Region 4 Coordinator, 1104 1st Street, Steilacoom, WA 98388 should you decide to use this coordinator for the deletion. The FCCA advises that there will be no cost to accomplish the deletion.

Please call me at (360) 459-6710 should you have questions

Sincerely,

Marc D. Johnson
Communication System Director

ATTACHMENT C



May 19, 2002

City of Tacoma, General Services
Attn: Steve Taylor
747 Market Street, Room 741
Tacoma, WA 98402

Dear Mr. Taylor,

Reference our telephone conversation this date concerning the City of Tacoma FCC license for call sign KOF221 and use of frequency 159.390 MHz.

I am happy to hear that Tacoma is not using 159.390 MHz. If they were, there would be harmful interference to the Department of Natural Resources use of 159.3825 MHz. **As** you can see from the attached FCC license with call sign WPMG964, the DNR was licensed at least two years prior on 159.3825 MHz with 4,000 mobiles and 25 temporary base stations and 25 repeaters. WPMG964 is good for below Line A, which includes the Tacoma area

For some unknown reason the radio frequency coordination system did not appear to work in this case and the City of Tacoma was issued a radio license for wideband operation on the same ground as the DNR.

With this letter I ask that you cancel the KOF221 license and send me a copy of the cancellation. I will send a CC copy of this letter to the frequency coordinators, Association of Public Safety Communication Officials and Forestry Conservation Communications Association.

Should you have questions, please call me at (360) 459-6710.

Thank you for your attention in this matter.

Sincerely,

James H. Kelly
DNR Communications Director

CC:
APCO International, 351 N. Williamson Blvd., Daytona Beach, FL 32114-1112

Forestry Conservation Communications Association, Hall of States, 444 North Capitol Street, Washington, DC 2001

P/O ATTACHMENT C



8410 Martin Way East
Olympia, WA 98516
April 4, 2002

APCO International
351 N Williamson Blvd
Daytona Beach, FL 32114-1112

Forestry Conservation Communications Association
Hall of States
444 North Capitol Street
Washington, DC 2001

Dear Sir or Madame,

This is a letter expressing grave concern over miscoordination of radio frequencies. Also with this letter I request for you to find a new frequency or frequencies for the affected agencies.

The end result of this miscoordination has been radio interference on 151.370 MHz at forest fires that has caused the Washington Department of Natural Resources (WDNR) to discontinue communications at project fires until an alternate form of communication could be found. The potential for future incidents of radio communications interference in the Washington Pierce County Area remains high.

The root cause is that Pierce County Communications was erroneously cleared for use of 151.355 MHz in 1996 without regard or concurrence from WDNR operating on adjacent channels 151.340 MHz and 151.370 MHz used in the same area. The miscoordination became further complicated when in 1997 a license was issued to WDNR to operate on 151.355 MHz in the same area and another license in 1997 to WDNR to operate on 151.3625 MHz, 7.5 KHz removed, in the same area.

It appears that the coordination agencies, APCO for Pierce County Communications and FCCA for WDNR, were not coordinating in this case. The problem is further compounded when APCO, apparently being unfamiliar with the WADNR frequency scheme in Washington State of using 151 MHz as repeater inputs and 159 MHz frequencies as repeater outputs, assigned 151.355 MHz in Pierce County as a repeater output frequency. The result is that WDNR with statewide jurisdiction cannot use 151.355 MHz now over a vast area and can not use 151.340 MHz and 151.370 MHz in parts of Pierce County near the Pierce County Communications repeaters. In fact, WDNR or any other agency will have problems using their 151 MHz frequencies anywhere near the Pierce County Communication's repeaters. Basically, it is an unworkable situation that needs to be resolved.

ATTACHMENT D

1111 WASHINGTON STREET PO BOX 47000 OLYMPIA, WA 98504-7000

FAX: (360) 902-1775 TTY: (360) 902-1125 TEL: (360) 902-1000

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Additionally, Pierce County Communications has no plans to move to narrow band even beyond 2005 while WDNR is in the process of narrow banding channels but cannot utilize its licensed interstitial channels over a vast area because of the interference from Pierce County Communications repeater outputs, which remains on a wide band basis.

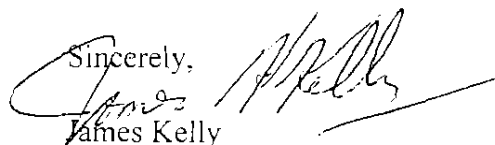
I met with Mr. Tim Lenk, Pierce County Communications, on March 22 where we discussed the need of at least a replacement frequency for Pierce County or three new wide area frequencies for WDNR (the former being the most practical) to solve this problem. In the interim I will meet again with Mr. Lenk to work on some sort of temporary notification system where the frequencies including the adjacents will not result in safety risk for emergency responders in both agencies. I want to express that this will be a temporary measure and not a permanent solution to the problem. Since both Pierce County Communications and WDNR essentially work disaster communications on the same ground there is no way that we can do this at the same time on-channel or with adjacent channels.

I am looking forward to your response

Attached find the following supporting documents:

- 1) WDNR's Radio Fire Preplan showing use of 151.340MHz and 151.370 MHz (adjacent to 151.355 MHz) statewide including Pierce County.
- 2) WPCV698, current statewide license for WDNR use of 151.340MHz (adjacent to 151.355 MHz) statewide including Pierce County.
- 3) KB84348, initial statewide license in 1986 for WDNR use of 151.340MHz (adjacent to 151.355 MHz) including Pierce County.
- 4) KE9669, current statewide license for WDNR use of 151.370 MHz (adjacent to 151.355 MHz) including Pierce County.
- 5) KE9669, initial statewide license in 1968 for WDNR use of 151.340MHz (adjacent to 151.355 MHz) including Pierce County.
- 6) WPRG300, current license for Pierce County Communications on 151.355 MHz.
- 7) WPIJ509, current license for Pierce County Communications on 151.355MHz.
- 8) WNVM234, current license for WDNR on 151.355MHz including Pierce County.
- 9) WNVM234, original license for WDNR on 151.355 MHz including Pierce County
- 10) WPKX768, original license for WDNR on 151.3625, (7.5KHz removed from 151.355 MHz) including Pierce County

Sincerely,


James Kelly
Communications Systems Manager

P/O D

CC Jim Lenk, Pierce County Communications, 2403 S. 35th St. Tacoma WA 98409-7403